THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12204 of 1997

Dated:23.3.2007

Between
G.K.Prabhavathi

.....Petitioner

and

A.Radha Krishna Murthy
And another.

...Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.12204 of 1997

ORDER:

This writ petition is filed seeking a Mandamus to declare the action of the 2nd respondent in awarding Rs.4374/- to the 1st respondent towards difference of wages in M.W.No.58 of 1995 dated 31.1.1997, as arbitrary and illegal.

It appears that the 1st respondent filed an application under Section 20 (2) of the Minimum Wages Act, 1948 before the 2nd respondent-Authority under the Minimum wages Act-cum-Assistant Commissioner, Khammam (for short 'the Authority') seeking payment of difference of minimum wages with effect from 1.10.1991 to 16.01.1995 amounting to Rs.9,267/-. According to him, he had

worked as a Cashier in the petitioner-S.V.Wines, Khammam from 1981 onwards, but, the petitioner did not pay the minimum wages as applicable to the post. Therefore, he made a representation to the petitioner for payment of minimum wages, but there was no response.

Before the Authority, the opposite party filed its counter.

After hearing both the parties, the Authority came to a conclusion that the 1st respondent is entitled to an amount of Rs.4374/- towards difference of wages under the Minimum Wages Act, and therefore, directed the petitioner herein to deposit the said amount. Aggrieved by the same, the present writ petition is filed.

I have perused the impugned order and other material made available on record. The Authority has furnished cogent reasons for coming to the conclusion that the difference of wages during the relevant period was not paid

to the petitioner. In fact, the petitioner-Management has not filed any Registers except the Xerox copies of the Visit book and Wage Register. As per the endorsement in the Visitor Book, the minimum wages have been paid to the first respondent up to 14.6.1994. Further, it came to the conclusion that the petitioner-Management has suppressed the true facts and therefore, allowed the petition granting one time compensation totalling to Rs.4374/-.

In view of the above, I am of the opinion that the Authority has not committed any error in passing the impugned order. No interference is called for under Article 226 of the Constitution of India. Writ petition is devoid of merits and is liable to be dismissed.

Accordingly, writ petition is dismissed. No costs.

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23-03-2007

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